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February 8, 2005

VIA FAX - (601) 352-7757
and REGULAR MAIL
Ms. Betty Mallett
McGlinchey Stafford PLLC
City Centre, Suite 1100
200 South Lamar Street
Jackson, MS 39201

CCNY

Re: *Olivia Y. et al. v. Barbour et al.*

Dear Ms. Mallett:

I write regarding Defendants' production of named plaintiff records supplementation on January 14, 2005, that was required by the Court's December 17, 2004 Amended Case Management Order.

First, I have yet to receive a response from you to my letter of January 27, 2005, questioning the nature of the privilege asserted regarding three redacted documents from named plaintiff Jamison J's case records that appear to relate to communications with third parties (Bates nos. 00207-209; 00205-206; 00142-143). In addition, please note that document Bates No. 00003 from Olivia Y's case records was redacted without any corresponding entry in your January 14, 2005 privilege log. Further detail as to the basis for these redactions is required.

Second, the MACWIS documentation produced for the named plaintiffs continues to be incomplete and inconsistently produced from one named plaintiff case to another. For example, the "Medical" tab printout that is referenced in Cody B's file (as noted in my letter to you of January 5, 2005, requesting same), was only produced with John A's records (see Bates no. 00047) and Jamison J's records (see Bates nos. 00160-65). The "Legal History- Detail" tab was only produced with Jamison J's records (see Bates no. 00170). The "Services" tab was only produced with Olivia Y's records (see Bates no. 00036) and John A's records (see Bates nos. 00044-45). The "Placement - History" tab was only produced for Olivia Y's records (see Bates no. 00037) and Jamison J's records (see Bates nos. 00157-58). There is no question that these MACWIS tab printouts, and all others, should be produced for each named plaintiff.

Finally, Defendants have yet to produce the psychiatric evaluations by Dr. J. Donald Matherne referenced in Cody B's case records produced on July 9, 2004, and testified to by his caseworker Yutaska Simpson on October 26, 2004. I specifically requested during the course of Ms. Simpson's deposition (see 33:12-35:2) that these missing documents from Cody B's records be produced, and again in a letter dated October 28, 2004. These case record documents need to be produced.



All these named plaintiff documents, and a complete privilege log, should have been produced no later than January 14, 2005, pursuant to the Court's December 17, 2004 Amended Case Management Order. Please let me hear from you by February 11, 2005, as to when you will be producing them.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Eric Thompson", with a long horizontal flourish extending to the right.

Eric Thompson
Plaintiffs' counsel

cc: Wayne Drinkwater & Melody McAnally, Bradley Arant
Stephen Leech, Esq.
John Lang, Loeb & Loeb